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Chief Clerk of the House

FILED APR 27 2006

By: 

H.B. No. 119

A BILL TO BE ENTITLED

AN ACT

relating to making appropriations in connection with the former
Cosmetology Commission and former Board of Barber Examiners.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. In addition to amounts previously appropriated
for the state fiscal biennium ending August 31, 2007, the amount of
\$213,527 is appropriated out of the general revenue fund to the
Texas Department of Licensing and Regulation for that state fiscal
biennium for the purpose of paying the costs of relocating the
functions and operations of the former Cosmetology Commission and
the former Board of Barber Examiners.

SECTION 2. (a) In addition to amounts previously
appropriated to the comptroller of public accounts for the state
fiscal biennium ending August 31, 2007, the amount of \$250,283 is
appropriated out of the general revenue fund to the comptroller for
the remainder of that state fiscal biennium to pay obligations,
including interest accrued on the obligations, of the former
Cosmetology Commission and the former Board of Barber Examiners.

(b) This subsection applies with respect to goods or
services received before August 31, 2005, by the former Cosmetology
Commission or the former Board of Barber Examiners. A claim for
payment or reimbursement for goods or services to which this
subsection applies may not be paid from money appropriated by
Subsection (a) of this section until the claim is verified and

1 substantiated by the executive director of the Texas Department of
2 Licensing and Regulation and until it is subsequently approved by
3 the attorney general and the comptroller of public accounts. The
4 approvals must occur before August 31, 2007.

5 SECTION 3. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect on the 91st day after the last day of the
10 legislative session.

HOUSE COMMITTEE REPORT

06 MAY -3 PM 7:02
HOUSE OF REPRESENTATIVES

1st Printing

By: Pitts

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10 legislative session.

COMMITTEE REPORT

The Honorable Tom Craddick
Speaker of the House of Representatives
Sir:

05-03-06
(date)

We, your COMMITTEE ON APPROPRIATIONS

to whom was referred House Bill 119 have had the same under consideration and beg to report back with the recommendation that it

- (☒) do pass, without amendment.
() do pass, with amendment(s).
() do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.
(☒) yes () no A fiscal note was requested.
() yes (☒) no A criminal justice policy impact statement was requested.
() yes (☒) no An equalized educational funding impact statement was requested.
() yes (☒) no An actuarial analysis was requested.
() yes (☒) no A water development policy impact statement was requested.
() yes (☒) no A tax equity note was requested.
() The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor _____

Joint Sponsors: _____ / _____ / _____ / _____

Co-Sponsors: _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Pitts, Chair	<input checked="" type="checkbox"/>			
Luna, Vice-chair	<input checked="" type="checkbox"/>			
Berman	<input checked="" type="checkbox"/>			
Branch	<input checked="" type="checkbox"/>			
Brown, B.	<input checked="" type="checkbox"/>			
Brown, F.	<input checked="" type="checkbox"/>			
Chisum	<input checked="" type="checkbox"/>			
Crownover	<input checked="" type="checkbox"/>			
Davis, J.	<input checked="" type="checkbox"/>			
Dukes				<input checked="" type="checkbox"/>
Edwards				<input checked="" type="checkbox"/>
Gattis	<input checked="" type="checkbox"/>			
Guillen	<input checked="" type="checkbox"/>			
Haggerty	<input checked="" type="checkbox"/>			
Hamric	<input checked="" type="checkbox"/>			
Hegar	<input checked="" type="checkbox"/>			
Hope	<input checked="" type="checkbox"/>			
Hopson	<input checked="" type="checkbox"/>			
Isett				<input checked="" type="checkbox"/>
King, T.	<input checked="" type="checkbox"/>			
Kolkhorst	<input checked="" type="checkbox"/>			
Martinez, A.	<input checked="" type="checkbox"/>			
McClendon	<input checked="" type="checkbox"/>			
Menendez				<input checked="" type="checkbox"/>
Peña	<input checked="" type="checkbox"/>			
Pickett	<input checked="" type="checkbox"/>			
Smith, T.	<input checked="" type="checkbox"/>			
Truitt	<input checked="" type="checkbox"/>			
Turner	<input checked="" type="checkbox"/>			

Total

29
25
0
0
4

aye
nay
present, not voting
absent

CHAIR

BILL ANALYSIS

H.B. 119
By: Pitts
Appropriations
Committee Report (Unamended)

BACKGROUND AND PURPOSE

During the 79th Regular Session, the Texas Cosmetology Commission and the Texas Board of Barber Examiners were abolished and the functions of both agencies transferred to the Texas Department of Licensing and Regulation (TDLR). After assuming control of both agencies, TDLR staff became aware of outstanding obligations owed to vendors and other state agencies for goods and services provided. TDLR was also notified by the Texas Building and Procurement Commission that the building previously housing the Cosmetology Commission and the Board of Barber Examiners had been sold, requiring a move out date of August 31, 2005.

House Bill 119 appropriates funds to TDLR and the Comptroller of Public Accounts to cover these outstanding costs.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The following appropriations are made in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007.

House Bill 119 appropriates the following amount to TDLR for the state fiscal biennium ending August 31, 2007, for the purpose of paying the costs of relocating the functions and operations of the former Cosmetology Commission and the former Board of Barber Examiners:

- \$213,527 out of the general revenue fund.

House Bill 119 appropriates the following amount to the Comptroller of Public Accounts for the state fiscal biennium ending August 31, 2007, for the purpose of paying obligations, including interest, accrued by the former Cosmetology Commission and the former Board of Barber Examiners:

- \$250,283 out of the general revenue fund.

House Bill 119 also sets forth guidelines for the payment of these obligations, including verification of a claim by TDLR, and approval by the Attorney General and the Comptroller of Public Accounts.

EFFECTIVE DATE

On passage, or if the Act does not receive the necessary vote, the Act takes effect on the 91st day after adjournment.

SUMMARY OF COMMITTEE ACTION

HB 119

May 3, 2006 8:00AM

Considered in public hearing

Reported favorably without amendment(s)

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATURE 3rd CALLED SESSION - 2006

May 2, 2006

TO: Honorable Jim Pitts, Chair, House Committee on Appropriations

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB119 by Pitts (Relating to making appropriations in connection with the former Cosmetology Commission and former Board of Barber Examiners.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB119, As Introduced: a negative impact of (\$463,810) through the biennium ending August 31, 2007.

Appropriations:

Fiscal Year	Appropriation out of GENERAL REVENUE FUND 1
2006	\$463,810
2007	\$0

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2006	(\$463,810)
2007	\$0
2008	\$0
2009	\$0
2010	\$0

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from GENERAL REVENUE FUND 1
2006	(\$463,810)
2007	\$0
2008	\$0
2009	\$0
2010	\$0

Fiscal Analysis

The bill would appropriate \$213,527 to the Texas Department of Licensing and Regulation to pay the costs of relocating the functions and operations of the former Cosmetology Commission and the former Board of Barber Examiners.

The bill would also appropriate \$250,283 to the Comptroller of Public Accounts to pay obligations for the former Cosmetology Commission and the former Board of Barber Examiners.

The bill would take effect immediately upon enactment, assuming that it received the requisite two-thirds majority votes in both houses of the Legislature. Otherwise, it would take effect on 91st day after the last day of the legislative session.

Methodology

The \$213,527 General Revenue appropriation to the Texas Department of Licensing and Regulation will be in the FY 2006-07 biennium.

The \$250,283 General Revenue appropriation to the Comptroller of Public Accounts will be for the remainder of the FY 2006-07 biennium.

This analysis assumes immediate effect.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies:

LBB Staff: JOB, SD, MS, EB

for chief clerk use only

Bill or Resolution Number:

HB 119

JOINT AUTHOR AUTHORIZATION

As primary author of HB 119 I hereby authorize the following joint author(s):
(bill or resolution #)

FRED BROWN

printed name of joint author #1

Fred Brown

signature of joint author #1

MAY 08 2006

printed name of joint author #2

signature of joint author #2

printed name of joint author #3

signature of joint author #3

printed name of joint author #4

signature of joint author #4

[Signature]
signature of primary author

date

5/8/06

H.B. No.

119

By

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APR 27 2006

Filed with the Chief Clerk

APR 27 2006

Read first time and referred to Committee on Appropriations

MAY 03 2006

Reported favorably (as amended)
(as substituted)

MAY 04 2006

Sent to Committee on (Calendars)
(Local & Consent Calendars)

MAY 11 2006

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Engrossed

Sent to Senate

CHIEF CLERK OF THE HOUSE

OTHER HOUSE ACTION:

MAY 11 2006

Point of order sustained

Received from the House

Read and referred to Committee on _____

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)
(_____ yeas, _____ nays)

Read second time, _____, and passed to third reading by (unanimous consent)
(a viva voce vote)
(_____ yeas, _____ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of _____ yeas, _____ nays

Read third time, _____, and passed by a (viva voce vote)
(_____ yeas, _____ nays)

Returned to the House

SECRETARY OF THE SENATE

OTHER SENATE ACTION:

Returned from the Senate (as substituted)
(with amendments)

House concurred in Senate amendments by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

House refused to concur in Senate amendments and requested the appointment of a conference committee
by a (non-record vote) (record vote of _____ yeas, _____ nays, _____ present, not voting)

House conferees appointed: _____, Chair; _____,
_____, _____, _____

Senate granted House request. Senate conferees appointed: _____, Chair;
_____, _____, _____, _____

Conference committee report adopted (rejected) by the House by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Conference committee report adopted (rejected) by the Senate by a (viva voce vote)
(record vote of _____ yeas, _____ nays)

06 MAY -3 PM 7:02
HOUSE OF REPRESENTATIVES